

BULLETIN

Volume 9, Issue 3

Providing for Michigan's Safety in the Built Environment

May 2004

DIRECTOR'S COLUMN

Henry L. Green

Good Changes!

The Bureau of Construction Codes and Fire Safety has experienced significant changes during the past two years. First, the bureau received the Manufactured Housing program and more recently the Office of Fire Safety, the State Fire Marshal and the Fire Fighters Training Council.

These changes have resulted in a dynamic impact on the programs and functions provided by the bureau. As we review our programs and evaluate our services, more changes are inevitable.

With the consolidation of Fire Safety and Construction Codes to result in more comprehensive safety standards, we are provided unique and intriguing opportunities. I have talked in great length about consolidation of training efforts and the need to look at uniform standards that reflect the best in the safety of our built environment.

The staff within the bureau is faced with changes in application and understanding of the codes and standards we apply. The focus must be broadened and more encompassing. To gain the most in safety, we must be about the business of looking toward our collective responsibilities in the application of the codes and standards. In doing so, we expect more efficiencies in applications, elimination in duplicative standards, and a more comprehensive approach to how the bureau, code officials and fire officials look at the responsibilities of assuring public safety.

As these changes come about, look at them as opportunities to excel, not a change for change sake. The changes are intended to improve the built environment and assure the Bureau's primary mission: Providing for Michigan's Safety in the Built Environment.

Attention Manufactured Home Dealers/Brokers Audit Procedure Change

by Scott D. Fisher
Office of Local Government and Consumer Services

As you are aware, Section 23 of 1987 PA 96, The Mobile Home Commission Act, requires Dealers to preserve accounts and other records; and Section 36 of the Act provides the Department with the authority to inspect any premises licensed under the Act.

Bureau staff, to ensure compliance with the provisions of the Act and the Manufactured Housing General Rules, frequently conduct inspections or audits of Dealer records. Rule 402 (1) of the General Rules requires a record of all homes bought, sold or exchanged to be maintained by the Dealer for 4 years.

As a reminder, failure to maintain records in accordance with the Act and Rules is a violation and subject to Administrative Action by the Manufactured Housing Commission. If you are unsure of what records must be kept, review the Act and Part 4 of the Rules. If you have any questions, please do not hesitate to contact our office at (517) 241-9347.

Frequently asked questions since August 2003 involve new homes sold and placed on private property rather than in a manufactured home community. These questions and the answers follow:

Do I have to file an application for certificate of manufactured home ownership (title application) for these new homes? It is the Bureau's position that Dealers are not required to file the application for certificate of manufactured home ownership (title application) for homes that are being placed on private property. However, the application is required to be filed for all homes that are being set in a manufactured home community in the same manner as they have been.

Do I have to pay sales tax on these homes? Sales tax must be paid on all manufactured home sales. If you have questions, please contact the Department of Treasury at 517/636-4230. This number is only for technical assistance on the requirement for paying sales tax and not for questions on the processing of returns.

What records do I need to provide your Auditor as proof that a home was placed on private property? The property tax I.D. number placed on the purchase agreement and a copy of the property survey attached to the purchase agreement are required.

The Act and/or Rules referenced in this article may be obtained from the Bureau of Construction Codes and Fire Safety website, www.michigan.gov/bccfs.



Group R Sprinkler Requirement

by Irvin J. Poke, Chief
Plan Review Division

There are a number of questions regarding the absence of exceptions from fire sprinkler requirements for R-2 apartments in the 2003 International Building Code (IBC). IBC section 903.2.7 now requires fire sprinklers in all group R occupancies, with no exceptions. This is the result of the passage of code change F45-00 during the 2000 code change cycle.

Code change F45-00 revised IBC section 903.2.7 from addressing only group R-1 to all group R occupancies, and deleted the exception from fire sprinklers for R-1 occupancies with guestrooms not more than 3 stories above the level of exit discharge and with a door directly to the exterior. It further deleted the language in section 903.2.8 and 903.2.9 of the 2000 IBC. This eliminated the exceptions for group R-2 not more than two stories and 16 units, and group R-4 with eight or fewer occupants, respectively.

The International Code Council (ICC) fire code committee maintains the provision for fire protection systems. In April 2000 at the hearings in Birmingham, Alabama, the committee approved code change F45-00 citing the reason of the proponent, which stated that 22% of the fires were residential occupancies, which accounted for 82% of the total fire deaths and 74% of the total injuries over a 5-year period. An attempt from the floor to disapprove the proposal failed.

In October 2000, the ICC general membership considered four public comments attempting to reinstate the exceptions. The National Association of Home Builders submitted one of the comments. Notwithstanding the

comments, the general membership approved code change F45-00.

During the 2001 code change cycle Shirmer Engineering Corporation and National Association of Home Builders sponsored code change F39-01 to reinstate the language in the 2000 IBC and the associated exception for group R-1, R-2 and R-4 occupancies. The fire code committee disapproved the proposal citing the reasons for approval of F45-00. There was an attempt from the floor to approve F39-01 that failed.

Separate public comments by Shirmer Engineering Corporation and the National Association of Home Builders argued that fire deaths and injuries in residential occupancies are predominantly in one and two family dwellings, which are regulated by the International Residential Code. Therefore, the exceptions for low-rise R-2 are effective and should remain. The general assembly rejected the arguments and upheld the committee disapproval of F39-01.

During the 2002 code change cycle, there was another attempt to reinstate exceptions for group R-2 occupancies by code change F90-02. It met the same fate as all previous attempts, making the intent of the ICC general membership clear.

The requirement for fire sprinklers in all group R occupancies is not a Michigan amendment. This requirement was examined during the code change cycles, adopted by the ICC general membership and was incorporated into the Michigan Building Code because it was not questioned during the Michigan code adoption process.

Michigan Fire Fighters Training Council Notes

by Deward Beeler
Region 1 Supervisor

Locating the MFFTC "List of Scheduled Training"

Visit the web site at www.michigan.gov/bccfs - in the left column, choose "Office of the State Fire Marshal". In the left column of this new page, choose "MFFTC", scroll down to "curriculum services" and click on "scheduled training".

Note: once you have reached the "Scheduled Training List", please mark your web favorites button to make it easier for you to reach the list in the future.

MFFTC Participates in 2004 Michigan Fire Service Expo

The Michigan Fire Fighters Training Council will hold its June meeting in Grand Rapids at the Michigan Fire Service EXPO, which is being held at the DeVos Place. Council will meet at 1:00 p.m. on Thursday, June 24, 2004.

BCCFS/MFFTC staff will present two programs at the EXPO; Incident Command System (ICS) Train the Trainer, June 24 and 25 from 8:00 a.m. to 5:00 p.m. and Instructor Orientation, Saturday, June 26 from 8:00 a.m. to 12:30 p.m.

For Michigan Fire Service Expo registration and program information please visit the website at www.mi-fire-expo.org



Plumbing Code Update Course for the Next License Renewal

by Robert G. Konyndyk, Chief
Plumbing Division

ADDITIONAL INFORMATION

The State Plumbing Act, 2002, PA 733, effective March 31, 2003, sections 23(2) and 25(2) requires licensed journey and master plumbers to complete code update classes for license renewal within one year of the code change. These codes are updated every 3 years. The 2003 Michigan Plumbing Code and its residential counterpart are now effective.

Master and journey plumbers shall complete an update class **for the 2003 code by April 30, 2005**. The license renewals mailed in March 2004, are not affected by the law change.

The Michigan State Plumbing Board has determined the class shall be a minimum of 5 hours in length and cover the State Plumbing Act, 2003 Michigan Plumbing Code, and 2003 Michigan Residential Code (plumbing chapters). The training purpose is to cover the differences between the old and new codes rather than plumbing theory. Bureau concern is the limited 5-hour period may not allow sufficient time for in-depth venting discussions or other installation mechanics. It is important to include the rule changes, which have been published, but also list **ALL** the changes in the code. Commonly, those can only be identified by comparing the new code book (single vertical line text) with the old code.

Instructor applications and attendance sheets are available on the Bureau web site at www.michigan.gov/bccfs. As course submissions are processed a list of course providers will be placed on our website. The Plumbing Division will not maintain individual course providers schedules for classes and will not mail out lists of course providers.

Retired licensees renewing their license will also be required to attend the classes. It is anticipated a very large number of class trainers will be approved and be available to provide classes close to all licensees at a very reasonable rate or perhaps free to any interested party. Retired individuals not renewing their license are cautioned that letting a license lapse for more than 3 years requires re-examination and re-instatement fees. It is not practical to think that not renewing

your license is an alternative to update classes.

Journey and master licensees residing out of state may participate in correspondence courses to be offered at a later date. Questions may be directed to the Plumbing Division, 517/241-9330.

Arc-Fault Protection

by Virgil Monroe, Acting Chief
Electrical Division

The 2003 Michigan Residential Code went into effect February 29, 2004. One of the hottest topics is arc-fault protection. The three most frequently asked questions are:

- Is arc-fault protection required?
- Where is arc-fault protection required?
- What must be arc-fault protected?

E3802.11 states, **"All branch circuits that supply 125 volt, single phase, 15- and 20 ampere outlets installed in dwelling unit bedrooms shall be protected by an arc-fault circuit interrupter listed to provide protection of the entire branch circuit."**

What does this mean? First, look at the definition of an **"outlet."** Chapter 34 defines an outlet as: **"The point on the wiring system at which current is taken to supply utilization equipment."** So, an outlet may be a receptacle outlet, a lighting outlet, or others.

So, is arc-fault protection required? **Yes**

Where is arc-fault protection required?

Arc-fault protection is required in all dwelling unit bedrooms.

What must be protected by arc-fault in the bedrooms? All branch circuits that supply 125 volt, single phase, 15- and 20 ampere outlets must be protected by an arc-fault circuit interrupter. So, arc-fault protection is required on all 125 volt, 15- and 20 ampere branch circuits supplying receptacles, light fixtures, and, **Yes**, smoke detectors.

Questions may be directed to the Electrical Division at 517/241-9320.

Boiler Alterations

by Robert J. Aben, Jr., Chief
Boiler Division

NOTICE

A web based study course on ASME Code CSD-1 is now available for a fee through the National Board of Boiler and Pressure Vessel Inspectors web site located at: <http://www.nationalboard.org/>

The definition of an Alteration is found in boiler rule R408.4012 (4) and states, "Alteration" means any change in the item described on the original manufacturer's data report that affects the pressure-containing capability of the boiler or its piping. A non-physical change such as an increase in the maximum allowable working pressure (internal or external) or design temperature of a boiler or its piping is an alteration.

The definition of Alteration is also found in the National Board Inspection Code (NBIC) that is adopted for use in Michigan by reference in boiler rule R408.4024. Compliance with the NBIC as modified by the Michigan Boiler Rules is required when performing an alteration.

Boiler rule R408.4039 provides specific requirements that must also be considered when altering a boiler. Most importantly, drawings and calculations must accompany the application for a permit to alter. This requires submission of the permit application as early as possible to allow the Boiler Division time to review the proposed work and assure compliance with the Michigan Boiler Rules. On large projects where there may be multiple licensees, it will benefit all parties for the owner to schedule a meeting with the Boiler Division to review full scope of the work.

A boiler alteration will always require the involvement of an Authorized Inspector (AI) to monitor the work and sign off on the completed data reports. The AI is not a Deputy State Boiler Inspector but is an employee of an Authorized Inspection Agency and must be licensed by the Boiler Division of Michigan. It is also imperative the AI be informed early in the alteration planning stage so they may fulfill their requirements under state boiler law.

Questions may be directed to the Boiler Division at 517/241-9334.

Revised HVAC Examination

by *Tennison B. Barry, Chief
Mechanical Division*

Revisions to the Heating, Ventilation and Air Conditioning (HVAC) examination updates the examination to the 2003 Michigan Mechanical Code while also updating the examination to include all aspects of HVAC as defined in the Forbes Mechanical Contractors Act 192, which reads as follows:

"Heating, ventilation, and air conditioning" or "HVAC" means the application of equipment and systems to provide air conditioning for occupants of buildings and structures. HVAC does not include the installation of portable self-contained refrigeration equipment and window-type air conditioners of not more than 1 ½ horsepower.

The first sentence of the definition, if read and interpreted literally, indicates a person who has successfully passed the license examination for HVAC could in fact install HVAC equipment complete with any system necessary to provide a structure with a heating, cooling and ventilation system. Previously, the department required a person requesting licensure to install such systems take at least two examinations. Both the HVAC and Ductwork classifications were required in order to obtain the appropriate permit to install the furnace and the ductwork in a structure. The department has changed its position on this issue. If an individual has the HVAC classification on his/her license, he/she may now in fact install the complete system. The revised HVAC examination includes questions on the installation of all portions of that system which increases the number of questions from 50 to 160.

Upon successfully passing the HVAC examination, the individual may install the complete system as defined in the Act subsequent to licensure.

Note: the HVAC license classification does not include hydronic heating.

Questions may be directed to the Mechanical Division at 517-241-9325.

NFIRS 5.0 Update

by *Mary Nemeth
NFIRS Program Administrator*

New Version of NFIRS 5.0 – Version 5.3.1 –

A new version of NFIRS came out in February and the USFA is making it mandatory that all users of their "free" software download the new version 5.3.1. Users attempting to login with a previous version will receive the error message: "Could not find On-line database. System may be down." You can download the new version from the Internet at www.nfirs.fema.gov. Go to User Section, Home Page, Login, Download Software.

Make sure and delete the old version once you have loaded Version 5.3.1 Remove all old versions using the ADD/REMOVE icon (Control Panel) and also go to C: drive, Program Files and delete all old versions from here.

NOTE: This does not apply to fire departments using vendor software.

Bulk Import Utility

We are asking all fire departments in the state using vendor software to begin sending monthly data using the Bulk Import Utility. The Bulk Import Utility allows fire departments using vendor software packages to upload their NFIRS transaction files directly to Michigan's partition on the FEMA web site rather than sending it on a disk or as an e-mail attachment. Instructions are located on the web site at www.michigan.gov/bccfs, click on Office of the State Fire Marshal, Statistics.

Monthly Reporting

NFIRS 5.0 data should be submitted once a month to the Office of State Fire Marshal. Example: January reports should be sent to the state by the 15th of February; February reports by the 15th of March etc. Reports may also be sent on a daily basis. Please do not wait to send all the reports at the end of the year.

NOTE: Non-participation in NFIRS will adversely effect training and grant monies.

New NFIRS Help Desk E-mail Address

HELP DESK – 1-888-382-3827 or
FEMA-nfirshelp@dhs.gov

Questions?

Contact Mary Nemeth, NFIRS Program Administrator, at nemethm@michigan.gov or 517-322-1939.

Accessibility for Existing Buildings Change of Use

by *Irvin J. Poke, Chief
Plan Review Division*

We have been asked; does Michigan Building Code (MBC) Section 3405.1 in the 2000 edition [section 3406.1 in the 2003 edition] allow the building official to not require compliance with MBC, Section 3408, if a change in use is to a lesser hazard and there is no construction proposed? The answer is no.

MBC Section 3405 [3406] is a general requirement for change in use, which allows the building official to not apply the requirements of the code in the circumstance stated. However, Section 3408 [3409] contains specific requirements for accessibility and, therefore, applies to a change in use when there is no construction via the reference to 1966 PA 1 in Section 3408.1 [3409.1]. The specific requirement always supersedes the general.

In 1966 PA 1 Section 2 specifically requires a change of use, when no construction is undertaken, to comply with the accessibility requirements in the state building code. Section 2(2)(a) specifically states that a change in use of less than 50% of the floor area, the area changing use and a route to it must be accessible. Therefore, compliance with MBC, Section 3408 [3409] is required. Section 2(2)(b) of 1966 PA 1, goes on to require that when a change in use of 50% or more of the floor area of a building occurs, the entire building must comply with the accessibility requirements of the state building code for a new building. This means total compliance with MBC, Chapter 11 even when construction is not proposed.

Questions may be directed to the Plan Review Division at 517/241-9328.

**State offices will be closed in
observance of the following
holidays:**

May 31 - Memorial Day
July 5 - Independence Day
September 6 - Labor Day

Michigan Fire Fighters Training Council

by Tony Sanfilippo, Deputy Director

AUTHORITY:

The Michigan Fire Fighters Training Council (MFFTC) established by Public Act 291 of 1966 was transferred under Executive Order No. 2003-18 from the Director of the Department of State Police to the Director of the Department of Labor & Economic Growth effective December 7, 2003.

The Michigan Fire Fighters Training Council is primarily responsible for:

- *Advisory standards for the selection of fire fighters.
- *Fire fighter training standards.
- *Fire service instructor qualifications and certification.
- *Certification examinations for new fire fighters.

The MFFTC serves the training needs of the state's 1,075 fire departments and 30,695 fire fighters. They are divided into three categories: Paid (8,606), Part Paid (17,302 and Non-paid (4,787). The part paid and non paid (volunteer) departments rely most on the MFFTC for assistance with training.

County Training Committees in each of the 83 counties assist with the delivery of training. They are structured to represent the fire departments and fire service organizations within each county. The committees are of critical importance to the delivery of the MFFTC programs.

There are 15 colleges and one municipal owned training facility that serve as Regional Training Centers. They deliver training to meet the needs of individuals, local fire departments and county training committees.

Questions may be directed to the Michigan Fire Fighters Training Council at 517/322-5444.



MFFTC REGION RE-TEST SCHEDULE MFRI FIRE OFFICER I & II and FF I, II,

AND I & II

The Bureau of Construction Codes and Fire Safety/Michigan Fire Fighters Training Council (MFFTC) has scheduled Region re-tests at Wyoming, Watersmeet, Swartz Creek and St. Ignace. Individuals who need to retake the Fire Officer I or II exam or written and/or practical stage of a Fire Fighter I, II, or I & II exam may apply. Challenge applicants for the Fire Fighter I, II, or I&II will also be accepted; however, re-test candidates will be given priority if space becomes limited. Application must be made as soon as possible.

Each MFFTC Region Supervisor will be registering candidates for the test(s) in their respective region. To schedule a re-test, applicants must submit a copy of their "Notification of Fire Fighter Examination Results" or "Notification of Fire Officer Examination Results" along with a written request for re-test (NOTE: applicants must include their mailing address, phone number, fire department name and FDID number).

Fire Fighter I, II, or I & II pre-service students may apply to re-test if the original Regional Training Center (RTC) assumes responsibility and liability for the pre-service candidate while re-testing. Assumption of the responsibility/liability must be in writing on RTC letterhead and accompany the short letter and "Notification of Exam Results."

To challenge Fire Fighter I, II, or I & II at the regional re-test site, the applicant must submit a completed "Challenger Test Application" to the respective Region Supervisor. Challenger applications are available from County Training Committees, MFFTC Training Coordinators and MFFTC Region Supervisors or download the application from the bureau web site: http://www.michigan.gov/cis/0,1607,7-154-10575_27870_28260-17468--,00.html and select the 'Challenger Test Application.'

All applicants will be notified in writing whether or not they have been scheduled for the test.

Candidates must arrive at the test site at least 15 minutes before the start time and check in with the examination proctor. Re-test candidates should bring two, sharpened #2 lead pencils and may only possess materials needed to take the examination. Study materials of any type are strictly prohibited.

Region Retest Schedule

Region 2

Saturday, August 21, 2004 - 8am
Wyoming Fire Department Training Center
2300 Gezon Parkway SW
Wyoming, MI 49509

Apply to:

Gary Crum – Region 2 Supervisor
Bureau of Construction Codes & Fire Safety Michigan Fire Fighters Training Council
588 3 Mile Rd NW
Grand Rapids MI 49544
Questions: 877-475-0844

Region 3

Saturday, September 11, 2004 - 1pm
Swartz Creek Fire Department
8100 B Civic Drive
Swartz Creek, MI 48473

Apply to: Deward Beeler - Region 3 Supervisor
Bureau of Construction Codes & Fire Safety Michigan Fire Fighters Training Council
411 B E Genesee
Saginaw, MI 48607
Questions: 888-879-6458

Region 1

Saturday, September 11, 2004 - 8am
St. Ignace High School
St. Ignace, MI 49781

Apply to: Lorraine Schwarz - Region 1 Supervisor
Bureau of Construction Codes & Fire Safety Michigan Fire Fighters Training Council
1504 W Washington St.
Suite A
Marquette, MI 49855
Questions: 888-879-6459

Region 1

Saturday, September 25, 2004 - 8am
Watersmeet Fire Department
N 46899 First
Watersmeet, MI 49969

Apply to: Lorraine Schwarz - Region 1 Supervisor
Bureau of Construction Codes & Fire Safety Michigan Fire Fighters Training Council
1504 W Washington St.
Suite A
Marquette, MI 49855
Questions: 888-879-6459

Cylinder Protection

by Calvin W. Rogler, Chief
Elevator Safety Division

The Elevator Safety Division has received several questions from elevator journeypersons regarding the new requirements for monitoring cylinders buried in the ground. In the new Michigan Elevator Code book, R 408.7043 (**Rule 43**) amends ASME A17.1-2000 and states:

"Section 3.18.3.8.1 of the ASME A17.1 code is amended to read as follows: 3.18.3.8.1 Cylinders not completely exposed above ground shall be protected from corrosion due to galvanic or electrolytic action, salt water, or other underground conditions. An outer casing is required on a new hydraulic elevator or where a cylinder is being replaced. The steel casing shall have a wall thickness that is not less than 3/8 of an inch. An expandable-type concrete plug shall be poured in the bottom of a casing or a welded plate closer shall be provided and water removed. Dry nonconductive material, if needed, shall be provided between a cylinder and its casing to secure the position of the cylinder. Other methods may also be used with the required steel casing in compliance with section 3.18.3.8.2 of the ASME A17.1 code."

This rule makes it very clear that water must be removed from the steel casing. Several companies have begun using polyvinyl chloride (PVC) and high-density polyethylene (HDPE) monitored systems. The Elevator Safety Division has approved the use of these systems as long as they are used with the required steel casing. This new **Rule 43** added Michigan's existing requirements for a 3/8 of an inch steel casing to section 3.18.3.8.1. The rest of ASME A 17.1-2000 Section 3.18.3.8 must also be complied with, including 3.18.3.8.2 and 3.18.3.8.3.

The manufacturer shall provide a copy of the monitoring procedure to be kept in the elevator machine room. The licensed elevator journeyperson shall conduct the monitoring procedure as required by the manufacturer of the equipment and make the appropriate entries on the required record. The procedure and the record of

monitoring for each system shall be located in the machine room in an accessible location and shall be considered part of the elevator records. As such, should the elevator maintenance company be changed, both the monitoring procedure and the record of monitoring shall remain in the elevator machine room.

These new procedures will be reviewed in the future to determine if it will remain necessary to continue the requirements for the 3/8 of an inch steel casing for the next code cycle.

Questions may be directed to the Elevator Division at 517/241-9337.

Pressure Treated Wood/Connectors

by Larry Lehman, Chief
Building Division

Pressure-treated wood has been used for many years in buildings to provide increased protection against decay and termites where wood is in contact with, or close proximity to soil. Its required use is identified in sections R319 and R320 of the 2003 Michigan Residential Code (MRC), and section 2304.11 of the 2003 Michigan Building Code (MBC), which also allows naturally durable wood.

As of December 31, 2003, Chromated Copper Arsenate (CCA-C) pressure-treated wood, the building industry standard for many years, is no longer being manufactured for residential and general consumer use. Several of the alternative preservatives that have replaced CCA-C can be more corrosive to steel products such as nails, screws, bolts, and metal connectors.

As a safety precaution, manufacturers have performed a series of industry standard tests to measure the corrosiveness of the alternative pressure-treated woods. Test results have confirmed that many galvanized connectors are not appropriate for use with many of the alternative pressure-treated woods on the market. Stainless steel connectors and fasteners are the preferred choice for use with alternative pressure-treated woods as they offer the greatest corrosion resistance. Galvanized connectors and hot-dipped galvanized fasteners may still be used as connectors for most pressure-treated woods. In general, the thicker the coating of zinc, the longer the life expectancy. Many manufacturers are now recommending G-185 (1.85 ounces of Zinc/sq. foot) at a minimum.

The wood treatment industry recommends the use of hot-dipped galvanized and stainless steel fasteners and connectors with pressure-treated woods. Since there are many brands of pressure-treated woods available and many applications for treated woods, it is highly recommended that builders, designers, and owners consult with their treated wood supplier for product recommendations regarding appropriate connector and fastener types and coatings. Whether using stainless steel or hot-dipped galvanized products, both connectors and fasteners must be of the same type and have the same coating/finish. Questions may be directed to the Building Division at 517/241-9317

Electrical Apprentice Registration & 2004 Examination Requirements

by Virgil Monroe, Acting Chief
Electrical Division

The Electrical Administrative Act, PA 217 of 1956, requires apprentices to register with the state of Michigan (or a local licensing authority) in order to perform electrical work. Additionally, Rule 27a of the Electrical board's general rules requires apprentice registration within 30 days of employment as well as the annual renewal of those registrations with the state of Michigan.

On January 1, 2004, the department began enforcing the requirement for apprentice registration. An applicant for the journey electrical examination must demonstrate four years of apprentice registration with the state as well as licensed supervision for 8,000 hours over a period of not less than four years.

However, during recent meetings, the Electrical Administrative Board accepted an alternative to the four-year registration requirement only for applicants taking the 2004 journeyman's electrical examination. To qualify for the 2004 examination, applicants must meet the criteria approved by the Electrical board, outlined below:

- 1) The apprentice applicant must be currently registered with the state of Michigan and must make back-payments for each year of the four-year period the individual was not registered.
- 2) The apprentice applicant must demonstrate participation in a structured

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Apprentice Registration, *cont.*

apprenticeship program over a four-year period. If proof of participation in a structured apprenticeship program is not demonstrated, then it will be necessary for contractors employing the apprentice to document the training progression of an applicant from new apprentice/entry level worker to skilled worker.

Beginning on September 1, 2005, candidates for the journeyman electrical examination must demonstrate that they have met the third, and final, criteria adopted by the board and outlined below:

Effective September 1, 2005, all journeyman electrical examination applicants must document at least **one** year of apprentice registration with the state; beginning on September 1, 2006, all journeyman electrical examination applicants must document at least **two** years of apprentice registration with the state; beginning on September 1, 2007, all journeyman electrical examination applicants must document at least **three** years of apprentice registration with the state; and beginning on September 1, 2008, all journeyman electrical examination applicants must document **four** years of apprentice registration with the state. The applicant must also meet the experience requirements as outlined in the act and rules.

Land Division Act (LDA) - Actions that affect a Plat of Record

1. MCL 560.104 - Replatting.

This section of the LDA provides an option for the owner of land located within an existing subdivision to reconfigure the plat of record or portion thereof by recording another subdivision on top of the existing subdivision thereby suppressing the portion of the original plat included in the new plat. One of the requirements to accomplish the proposed reconfiguration is that every lot owner in the subdivision must consent to the proposed reconfiguration by signing a document called a replat agreement and recording this document with the Register of Deeds Office for the county in which the subdivision is located. Another requirement that the land owner must meet is that proof of notice is sent by certified mail to the abutting property

owners to the existing subdivision, not just the portion of the original plat that is being reconfigured, must accompany the new plat when it is filed with the Office of Land Survey and Remonumentation (OLSR). Finally, if any areas in the original plat that were dedicated to the use of the public are included in the new plat, a resolution adopted by the municipality that vacates the public's interest in the area, must accompany the new plat when it is filed with the OLSR as well. If any areas that were reserved only to the use of the lot owners are incorporated into the new plat, circuit court action would be required to vacate the private areas and to terminate the rights of the lot owners to use these areas unless all lot owners sign the replat agreement. For additional information refer to: Brookshire-Big Tree Ass'n v. Oneida Tp. (1997) 570 N.W.2d 294, 225 Mich.App. 196

2. MCL 560.198 - Surveyor's affidavit; recording for limited purposes; procedure; evidence.

In the event that a clerical error is found on a recorded subdivision, this section of the LDA provides a procedure by which a surveyor can record an affidavit, after being approved by the county plat board, to correct the specified clerical error or errors. A certified copy of the recorded affidavit is required to be filed with the OLSR.

3. MCL 560.256 - Streets, highways or alleys; opening, altering, vacating or changing name; duties of municipal clerk; MCL 560.257 - Discontinuance of streets, alleys or public lands; reservation of utility easements.

These sections of the LDA give a municipality the authority, not the county road commission in the instance of a public right-of-way, to adopt a resolution that vacates an area that has been dedicated to the use of the public and record the same with the Register of Deeds. One of the affects of this action is to divest the public of the right to use the area that was dedicated to such use. The area then becomes an area reserved for the exclusive use of the lot owners in the subdivision. The municipal resolution also cannot vest title of the vacated public area. This authority lies solely with the circuit court having jurisdiction over the subdivision.

4. MCL 560.221-.229 – Circuit Court

The OLSR administers the provisions of the LDA, 1967 PA 288, MCL 560.101, et seq., on behalf of the Michigan Department of Labor and Economic Growth (DLEG). One of the provisions requires the OSLR to

be joined in all circuit court actions to vacate, correct, or revise plats that are processed and recorded in accordance with the LDA or any predecessor acts.

The LDA also requires that certain others be listed as defendants: (1) all owners of the lots and parcels located within 300 ft. of the land described in the petition, as well as anyone else who has a claim through those owners [MCL 560.224a(1)(a)]; (2) the municipality in which the subdivision is located [MCL 560.224a(1)(b)]; (3) the county drain commissioner and the chair of the county road commission [MCL 560.224a(1)(d)]; (4) each public utility that the plaintiff knows has installations or equipment in the subdivision or a recorded easement or franchise right that would be affected by the proceedings [MCL 560.224a(1)(e)]; (5) the directors of the Department of Transportation and the Department of Natural Resources (DNR), if any of the subdivision includes or borders a state highway or federal aid road [MCL 560.224a(1)(f)]; and (6) the director of the DNR, if the requested action could result in a public highway being affected in such a way as to result in the loss of public access to a waterway. [MCL 560.224a(1)(g)].

The LDA specifies that only the municipality or an owner of a lot within the subdivision may bring an action to vacate, correct, or revise a plat, and the state treasurer must be named as a defendant. MCL 560.222 and 560.224a(1)(c). But pursuant to Executive Orders 1980-1, MCL 16.732; 1996-2, MCL 445.2001; and 2003-18, MCL 445.2011, the Department of Consumer and Industry Services (now Department of Labor and Economic Growth) is the successor to all powers, duties, functions, and responsibilities of the treasurer.

The OSLR, with the assistance of the Attorney General, ensures that the judgments in these matters are consistent with the LDA. Under MCL 560.229, the court must order the plaintiff to prepare and file a new plat of the area in conformance with the judgment. The plaintiff then must file the plat with the OSLR for independent review and approval. Once the OSLR determines that the plat conforms to the conditions set forth in the judgment and the applicable provisions of the LDA, it is forwarded to the appropriate Register of Deeds for recording. The newly recorded plat reflects how the circuit court vacated, corrected, or revised the original plat, and governs any future conveyances.

The *BULLETIN* is a quarterly publication of the Bureau of Construction Codes & Fire Safety within the Michigan Department of Labor & Economic Growth.

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Scheduled Board Meetings

MEETING	DATE	TIME	LOCATION
Barrier Free Design Board	January 9	9:30 a.m.	Okemos-Conf. Room 3
	March 12	9:30 a.m.	Okemos-Conf. Room 3
Board of Boiler Rules	June 8	9:00 a.m.	Okemos-Ste. 116 Conf. Room 3
	September 7	9:00 a.m.	Okemos-Ste. 116 Conf. Room 3
	December 7	9:00 a.m.	Okemos-Ste. 116 Conf. Room 3
Construction Code Commission	May 5	9:30 a.m.	Okemos-Conf. Room 3
	July 14	9:30 a.m.	Okemos-Conf. Room 3
	September 1	9:30 a.m.	Okemos-Conf. Room 3
	November 3	9:30 a.m.	Okemos-Conf. Room 3
Electrical Administrative Board	June 4	9:30 a.m.	Okemos-Conf. Room 3
	August 8	9:30 a.m.	Okemos-Conf. Room 3
	October 1	9:30 a.m.	Okemos-Conf. Room 3
	December 3	9:30 a.m.	Okemos-Conf. Room 3
Elevator Safety Board	June 11	9:30 a.m.	Okemos-Conf. Room 3
	September 17	9:30 a.m.	Okemos-Conf. Room 3
	November 19	9:30 a.m.	Okemos-Conf. Room 3
Fire Fighters Training Council	June 9	10:00 a.m.	Okemos-Ste. 116 Conf. Room
	August 11	10:00 a.m.	Okemos-Ste. 116 Conf. Room
	October 13	10:00 a.m.	Okemos-Ste. 116 Conf. Room
	December 8	10:00 a.m.	Okemos-Ste. 116 Conf. Room
Manufactured Housing Commission	June 16	10:00 a.m.	Okemos-Conf. Room 3
	August 4	10:00 a.m.	Okemos-Conf. Room 3
	September 22	10:00 a.m.	Okemos-Conf. Room 3
	November 10	10:00 a.m.	Okemos-Conf. Room 3
	December 22	10:00 a.m.	Okemos-Conf. Room 3
Board of Mechanical Rules	June 23	9:00 a.m.	Okemos-Conf. Room 3
	August 25	9:00 a.m.	Okemos-Conf. Room 3
	October 13	9:00 a.m.	Okemos-Conf. Room 3
State Fire Safety Board	May 27	1:00 p.m.	Okemos-Conf. Room 3
	July 22	1:00 p.m.	Okemos-Ste. 116 Conf. Room
	September 23	1:00 p.m.	Okemos-Ste. 116 Conf. Room
	October 28	1:00 p.m.	Okemos-Ste. 116 Conf. Room
	November 18	1:00 p.m.	Okemos-Ste. 116 Conf. Room
State Plumbing Board	June 8	10:00 a.m.	Okemos-Conf. Room 1

License Exam Schedule

EXAMINATION	DATE	LOCATION	DEADLINE
Boiler Installer & Repairer	June 2 & 3	Okemos	May 2
	September 1 & 2	Okemos	August 1
Journeyman Electrician	May 26	Escanaba	April 28
	June 14 - 16	Okemos	May 14
	September 22	Escanaba	August 24
Master Electrician	June 17	Okemos	May 19
	September 23	Escanaba	August 25
Elevator Journeyperson	June 9	Okemos	May 19
	August 10	Okemos	July 20
Elevator Contractor & General COC	June 11	Okemos	May 21
	September 17	Okemos	August 27
Mechanical Contractor	June 9	Lansing	May 12
	August 4	Escanaba	July 7
Master and Journey Plumbers	May 24	Okemos	February 24
	June 24	Okemos	March 24

Dates and locations are subject to change.

How to Contact the Bureau of Construction Codes & Fire Safety

Mailing & Physical Addresses, Fax Numbers, Web Site Address, Telephone Numbers

Mailing Addresses:

P.O. Box 30254 (Codes: general correspondence)
 P.O. Box 30255 (Codes: permits, licenses, and other documents containing payment)
 P.O. Box 30700 (Office of Fire Safety)
 P.O. Box 30704 (Office of Land Survey and Remonumentation)
 P.O. Box 30222 (Office of Local Government and Consumer Services)
 Lansing, Michigan 48909

Physical Addresses:

2501 Woodlake Circle, Okemos (Administration; Office of Administrative Services; Office of Management Services; Building Division; Electrical Division; Mechanical Division; Plan Review Division; and Plumbing Division)
7150 Harris Drive, Lansing (Fire Fighters Training Council; Office of the State Fire Marshal; and Office of Fire Safety)
6546 Mercantile Way, Lansing (Office of Local Government and Consumer Services; Office of Land Survey and Remonumentation; Boiler Division; and Elevator Safety Division)

Fax Numbers:

Administration - (517) 241-9570	Office of Fire Safety - (517) 322-1356
Codes - (517) 241-9308	Fire Fighters Training Council - (517) 322-6540
Office of Land Survey and Remonumentation - (517) 241-6301	Office of the State Fire Marshal - (517) 322-2908
Office of Local Government and Consumer Services - (517) 241-6371	

Telephone Numbers:

Administration	517/241-9302
Office of Administrative Services (OAS)	517/335-2972
Office of Management Services (OMS)	517/241-9313
Boiler Division	517/241-9334
Building Division	517/241-9317
Electrical Division	517/241-9320
Elevator Safety Division	517/241-9337
Fire Fighters Training Council	517/322-5444
Mechanical Division	517/241-9325
Office of Fire Safety (OFS)	517/322-1123
Office of Local Government and Consumer Services (OLGCS)	517/241-9347
Office of Land Survey and Remonumentation (OLSR)	517/241-6300
Office of the State Fire Marshal	517/322-1924
Plan Review Division	517/241-9328
Plumbing Division	517/241-9330